

**DENTISTRY EXAMINING BOARD
MINUTES
JANUARY 5, 2011**

- PRESENT:** Linda Bohacek, RDH; Blane Christman, DDS; John Grignon, DDS; Adriana Jaramillo, DDS; Lyndsay Knoell, DDS; Sandra Linhart, RDH; Kirk Ritchie, DDS; Nancy Rublee, RDH; Tim Size; William Stempski, DDS
- ABSENT:** Carl Walker
- STAFF:** Tom Ryan, Bureau Director; Michele Miller Hayes, Legal Counsel; Karen Rude-Evans, Bureau Assistant; other DRL staff
- GUESTS:** Joe Granica, Peter Theo and Jenifer Kreider, WDHA; Lori Pelke, Midwest Dental; Peter Hehli, Gene Shoemaker, Ned Murphy and Mara Brooks, WDA; Matt Crespin, CHAW

CALL TO ORDER

Blane Christman, Vice Chair, called the meeting to order at 9:36 a.m. A quorum of ten (10) members was confirmed.

PLEDGE OF ALLEGIANCE

The Board members, staff and guests rose and recited the Pledge of Allegiance

SECRETARY DAVE ROSS

Secretary Dave Ross introduced himself and gave a brief history of his background. He looks forward to working with the Board.

COMMENTS AND ACKNOWLEDGEMENTS

Lori Barbeau has resigned from the Board effective today. Blane Christman acknowledged Dr. Barbeau for her years of service and dedication to the Board. Dr. Christman also thanked the DRL staff for the work they perform on behalf of the Board.

APPROVAL OF AGENDA

Amendments:

- Under Item O - The appearance time is scheduled for 11:00. Dr. Hussain will be appearing with his attorney, Gerard Kuchler.
- Under Item I – CRDTS REPORT, insert after page 86:
 - CRDTS Examiners Conflict of Interest Determination

- Correspondence from the WDHA regarding the definition of dental hygiene
- Under Item M – INFORMATIONAL ITEMS – insert after page 142:
 - Resignation Letter from Dr. Lori Barbeau
 - Correspondence from the WDHA regarding the definition of dental hygiene
 - Article from The Chicago Tribune, “Wisconsin Commission Approves \$10M for Rural Dentistry”
- Under Item O (closed session) – Under MONITORING... - insert after page 168:
 - Gretchen K. Evenson, DDS – Consideration of violation of Board Order
- Case Status Report – insert at the end of the agenda in closed session
- Updated Board Roster – for Board information only

MOTION: John Grignon moved, seconded by Tim Size, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 3, 2010

Corrections:

- On page 4, under **10:05 a.m...** – in the motion, correct the spelling of “Blaine” to “Blane”
- On page 5, under UPDATE FROM SUBCOMMITTEE..., correct the motion to read: ... to have legal counsel draft the proposed statutory changes to incorporate the language from the consensus report and to have the Definition of Dental Hygiene Subcommittee continue to meet...
- On page 5, under AADE ANNUAL MEETING REPORT, in the first sentence, delete “86” and insert “46”
- On page 7, under CLOSED SESSION, in the motion, delete “Lyndsay Knoell”

MOTION: Linda Bohacek moved, seconded by John Grignon, to approve the minutes of November 3, 2010 as corrected. Motion carried unanimously.

Lyndsay Knoell addressed the Dentistry Examining Board (DEB) regarding the Department’s review of the appearance of a possible conflict of interest regarding his appointment to the DEB. After a thorough review, it was determined there was no conflict of interest at any time and Dr. Knoell has been exonerated.

PRESENTATIONS OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

**DERF A SIMES, DDS
09 DEN 022**

DOE Aaron Konkol presented a Proposed Stipulation, Final Decision and Order in the disciplinary proceedings against Derf A. Simes, DDS. This matter will be deliberated in closed session.

ITEMS RECEIVED AFTER PREPARATION OF THE AGENDA

None.

ADMINISTRATIVE REPORT

The NERB membership application was sent on November 9, 2010.

ELECTION OF OFFICERS FOR 2011

Tom Ryan called for nominations for Chair.

- Kirk Ritchie nominated Blane Christman for Chair.
- Nancy Rublee nominated Linda Bohacek for Chair

Tom Ryan called for nominations three times. Hearing no additional nominations, he called for a vote. The Board voted by paper ballot.

After all ballots were tallied, Blane Christman was elected as Chair.

Tom Ryan called for nominations for Vice Chair.

- John Grignon nominated Lyndsay Knoell for Vice Chair
- Nancy Rublee nominated Linda Bohacek for Vice Chair.

Tom Ryan called for nominations three times. Hearing no additional nominations, he called for a vote. The Board voted by paper ballot.

After all ballots were tallied, Lyndsay Knoell was elected as Vice Chair.

Tom Ryan called for nominations for Secretary.

- Nancy Rublee nominated Linda Bohacek for Secretary.

Tom Ryan called for nominations three times. Hearing no additional nominations, he called for a vote.

Linda Bohacek was elected as Secretary my unanimous consensus.

The new officers were seated immediately after the elections.

BOARD REVIEW OF DRAFT STATEMENT ON BOTOX AND DERMAL FILLERS

The Board reviewed the draft position statement on Botox and dermal fillers. Legal counsel redrafted the language with the Board's recommendations.

MOTION: Kirk Ritchie moved, seconded by Adriana Jaramillo, to approve the position statement on Botox and dermal fillers. Motion carried unanimously.

The use of dermal fillers and Botox by a licensed dentist in the state of Wisconsin is allowable for functional, therapeutic, and aesthetic treatment purposes. It is expected that dentists will obtain appropriate training to be able to perform such services competently. Such training shall be provided by organizations or institutions recognized to provide continuing education courses in accordance with 447.056, Wisconsin Statutes

BOARD REVIEW OF DRAFT STATUTORY LANGUAGE REGARDING RDH/ALTERNATIVE SETTINGS

Linda Bohacek suggested returning this draft to the Definition of Dental Hygiene Subcommittee for further review. Michele Miller Hayes stated this is a first, preliminary draft. Blane Christman asked Lyndsay Knoell to chair the Subcommittee.

MOTION: Adriana Jaramillo moved, seconded by William Stempski, to return the draft language to the Definition of Dental Hygiene Subcommittee and to appoint Lyndsay Knoell as the Subcommittee Chair. Motion carried unanimously.

LASER USE BY DENTAL HYGIENISTS

The Board reviewed the scope statement to amend § 3.02 to allow the use of lasers by dental hygienists.

MOTION: Sandra Linhart moved, seconded by Linda Bohacek, to approve the scope statement to amend §3.02 to allow the use of lasers by dental hygienists. Motion carried unanimously.

CRDTS REPORT

Update from CRDTS on Current Examiner Roster

The Board reviewed this information.

CRDTS Dental Hygiene Application – Victoria Friemark-Nelson

The Board reviewed the CRDTS dental hygiene examiner application for Victoria Friemark-Nelson.

MOTION: Linda Bohacek moved, seconded by Kirk Ritchie, to recommend Victoria Friemark-Nelson, RDH, as a CRDTS dental hygiene examiner provided she is in good standing. Motion carried unanimously.

REVIEW OF ADEX AND NERB EXAMINERS

The Board reviewed the list of examiners.

MOTION: Blane Christman moved, seconded by Linda Bohacek, to approve Bruce Barrette, Keith Clemence, Cynthia Riffle and Richard Strand as the dental examiners in good standing and Beth Clemence and Nanette Dreves as the dental hygiene examiners in good standing for NERB and ADEX examiners. Motion carried unanimously.

LEGISLATIVE REPORT – BLANE CHRISTMAN

There was no report at this time.

PRACTICE QUESTIONS INCLUDING ANY RECEIVED AFTER PRINTING OF AGENDA

Diagnosis and/or treatment of sleep apnea

The board discussed the issue of diagnosis and treatment of sleep apnea as it relates to the practice of dentistry. The board would like to have a presentation from a physician and dentist who treat sleep apnea.

Use of laser for tobacco cessation

The Board reviewed the correspondence regarding the use of cold laser for tobacco cessation treatment. More specific information is required before the Board can make a decision. Legal counsel will contact the individual who posed the question.

Examination by dentist before hygiene services

The Board reviewed the correspondence from Steven R. Kanugh, DDS, regarding an article from the WDA Journal dated May 10, 2010. Legal counsel will reply to Dr. Kanugh with information regarding having his case reviewed.

Practice Questions Liaisons

Blane Christman – dental questions
Linda Bohacek – dental hygiene questions
Lyndsay Knoell – alternate liaison

TRAVEL REQUESTS

2011 National Dental Examiner's Advisory Forum

Blane Christman plans to attend. This travel may be fully funded; however Dr. Christman must complete all the required travel documents and work with the bureau director.

NERB Annual Meeting

There is insufficient time for the Department to arrange for and to seek approval for travel to this meeting. Board members who wish to attend will be responsible for all travel arrangements and expenses.

INFORMATIONAL ITEMS

The informational items were noted.

PUBLIC COMMENTS

None.

CLOSED SESSION

MOTION: John Grignon moved, seconded by Adriana Jaramillo, to convene to Closed Session to deliberate on cases following hearing (Wis. Stat. § 19.85(1) (a)), to consider licensure or discipline (Wis. Stat. § 19.85(1) (b)), to consider individual histories or disciplinary data (Wis. Stat. § 19.85(1) (f)), and, to confer with legal counsel (Wis. Stat. § 19.85(1) (g)). Motion carried by roll call vote: Linda Bohacek-yes; Blane Christman-yes; John Grignon-yes; Adriana Jaramillo-yes; Lyndsay Knoell-yes; Sandra Linhart-yes; Kirk Ritchie-yes; Nancy Rublee-yes; Tim Size-yes; William Stempski-yes. Motion carried unanimously.

Open Session recessed at 10:38 a.m.

RECONVENE TO OPEN SESSION

MOTION: Linda Bohacek moved, seconded by John Grignon, to reconvene into open session. Motion carried unanimously.

The Board reconvened into open session at 12:54 p.m.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

DELIBERATION OF PROPOSED STIPULATIONS

DERF A SIMES, DDS

09 DEN 022

MOTION: Linda Bohacek moved, seconded by Nancy Rublee, to adopt the Findings of Fact, Conclusions of Law, Final Decision and Order in the disciplinary proceedings against Derf A. Simes, DDS. Motion carried unanimously.

MONITORING

SYED HUSSAIN, DDS

Syed Hussain, DDS, appeared before the Board with his attorney, Gerard Kuchler, to request modification of his Board Order.

MOTION: Tim Size moved, seconded by Adriana Jaramillo, to modify the order for Syed Hussain to follow the recommendations of the Marquette University School of Dentistry evaluation to complete the last three (3) years of dental education. Motion carried unanimously.

GRETCHEN EVERSON, DDS

MOTION: Linda Bohacek moved, seconded by Adriana Jaramillo, to remove the stay of suspension in the matter regarding Gretchen Everson, DDS, and to increase the drug screens to fifty two (52) per year. Dr. Everson must demonstrate three (3) months full compliance with the Order before she is eligible to re-petition the Board for a stay of suspension. Motion carried. John Grignon was excused from deliberation and abstained from voting.

FREDERICK KRIEMELMEYER, DDS

No Board action was taken.

CASE CLOSINGS

08 DEN 023

MOTION: Linda Bohacek moved, seconded by John Grignon, to close case **08 DEN 023** for insufficient evidence. Motion carried unanimously.

10 DEN 037

MOTION: John Grignon moved, seconded by Nancy Rublee, to close case **10 DEN 037** for no violation. Motion carried unanimously.

ADJOURNMENT

MOTION: Tim Size moved, seconded by John Grignon, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:56 p.m.

THE NEXT MEETING IS SCHEDULED FOR MARCH 2, 2011